

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Mary Lee Evans,

Plaintiff,

v.

Commissioner of Social Security  
Administration,

Defendant.

C/A No. 0:17-162-MGL-PJG

**ORDER**

This social security action is before this court pursuant to 42 U.S.C § 405(g) for review of a final decision of the Commissioner of the Social Security Administration (“Commissioner”). The Commissioner filed a motion to dismiss on July 14, 2017, pursuant to the Federal Rules of Civil Procedure. (ECF No. 24.) As the plaintiff is proceeding *pro se*, the court entered an order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) on July 28, 2017, advising the plaintiff of the importance of a motion to dismiss and of the need for her to file an adequate response. (ECF No. 25.) The plaintiff was specifically advised that if she failed to respond adequately, the defendant’s motion may be granted, thereby ending her case.

Notwithstanding the specific warning and instructions set forth in the court’s Roseboro order, the plaintiff has failed to respond to the motion. As such, it appears to the court that she does not oppose the motion and wishes to abandon this action.

Based on the foregoing, it is

**ORDERED** that the plaintiff shall advise the court as to whether she wishes to continue with this case and to file a response to the defendant’s motion to dismiss within fourteen (14) days from

the date of this order. Plaintiff is further advised that if she fails to respond, **this action will be recommended for dismissal with prejudice for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

**IT IS SO ORDERED.**



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

August 31, 2017  
Columbia, South Carolina